

1885-044
Lee Co.

Chancery Causes: Connally F. Trigg for to vs. Andrew E. Callahan

Johnston, Campbell, Speak, Hutton, Callihan, Ely

CA-Debt
T-Property

-Deed

To the Honorable John S. Kelly Judge of the
Circuit Court of Lee County -

Your Orator lawfully H. Trigg surviving ob-
ligee of himself and Rev. R. Johnston now deceased
who sues for the benefit of Joseph T. Campbell
humbly complaining sheweth unto your honor
that on the 22. day of March 1853, Andrew E.
Callahan, made and executed his certain writing
obligatory sealed with his seal and signed with
his signature, on the day and year last aforesaid
by which he bound himself to pay twelve months
after the date thereof the sum of thirty seven dol-
lars and fifty cts, ~~which was a promise to your~~
orator, and the said Rev. R. Johnston then living, for
professional services rendered by them as attorneys
in the Circuit Court of the United States.

This said bond is a division of notes and
your orator & the said Johnston fell to the latter
and was by him transferred for value to the said
Jos T. Campbell, to whom the same is now
due. No part thereof ever having been paid
to any of the parties aforesaid. The said bond
is herewith filed marked A. and is prayed
to be considered as part hereof.

Your orator now alleges that Andrew E.
Callahan is a non resident of this common-
wealth, but owns lands situate in this country
in the Whitesides district, on Trading Creek in
the neighborhood of Graphees Ferry and
consists of one sixth part of a Tract of 465-
acres which descend to him as one of the
ays also one other share of equal amount in said land which he purchased
his of ~~Exhile~~ Callahan deceased, the rent
and profits of which will not in five years

pay your crater claims and the costs of this
suit. The object of this suit is to attach said
lands and subject them to your crater claim and
to have a decree rendered in his favor to that
effect.

His prayer therefore is that said Andrew E.
Hallahan, be made a party defendant to
this bill and answer its allegations on oath
that on a hearing a decree be rendered in favor
of your crater for the amount due him, and to
see as much of said lands as are nec-
essary to pay the same, and for all other
further and general relief that may be required.

Wm. H. H. H.

C 6.27
 A 15.00
 S .50
 Pr 5.00
 \$26.77

Estimated 10.00
 \$36.77

6 93 to July 1881

37.70

Or left 5.51 to July 1881

27. " 4.36 Dismissing

March 25 1885

Hutton & Spear
 on their petition

C 6.54

Pr 5.00

\$11.54

Annally H. Tigg

Bill ch on
 Feign attachment.

Anchur. E. Callahan

1875 July Bill Filed, Spania et al.

O. P. & Continued

" Aug & Sept. Contd for O. P.

" Oct. O. P. Contd to Deceme nisi.

" Nov Deceme nisi Contd for
 hearing by Plaintiff.

" Nov Deceme nisi Contd.

1876 Nov Deceme nisi Contd.

" Aug & Nov Contd.

1877 May Aug

1878 Aug Deceme & Contd

" Nov Contd.

1879 May Contd.

" Nov Deceme & Contd.

1880 March Decree & Contd.

1880 Aug Contd.

1881 May Contd. Aug Contd.

1882 March Decree & Contd.

1883 Contd this year

1884 " " "

1885 Mr. Decree final

To the Honorable John Kelly Judge
of the Circuit Court of La County in
your Petitioners John Sprink and
Mr. Hutton would represent and show
to your Honor that in the Chancery cause
of the said John Sprink & others vs Mary
Callihane & others lately decided in your
Honor's Court, they obtained a judgment
vs Andrew Callihane for the sum of
\$24.00 subject to a credit of \$2.07 which
said judgment was for costs of said suit,
which costs have all been paid by your petition-
ers. which will fully appear by an execution
issued in said cause which went into the
hands of Thomas S. Ely Sheriff and has
by him been returned satisfied as fully ap-
pears by a copy of said execution filed here
with marked (A), which with the endorse-
ments thereon is made part of this petition.

The said Andrew Callihane is not a resident
of Virginia but he has effects here, and your
petitioners allege that said effects arise in
this way. Comally J. Freyq Supervisor filed
a bill in your Honor's Court on the Chancery
side thereof to enforce a judgment or collect
a debt due from said Andrew Callihane
in which said Callihane's lands were sold
and there is a balance of money in the hands
of R. L. Pridmore Commissioner who

sold said land sufficient to pay the debt
due your petitioners. Now the object of
this Petition is to have a decree rendered
in the cause of Conolly & Lyng Successors
vs Andrew & Colclough directing said
Prothonotary as Commissioner to pay to
them said sum of money yet due them
from said Colclough with interest there
on from the date of payment made by
them as shown on said Execution.

and to this end they pray if necessary that
the Plaintiff be compelled to amend his
bill making these petitioners parties to.
And for such other further Special and
General relief as is suited to their case

Duncan for
Spratt & Hutton.

Virginia.

Lee County to wit;—

This day Wm. J. Hutton and John
Spears personally appeared before
and made oath in due form that
the facts stated in the foregoing
are true, so far as stated upon their
own knowledge, and so far as
stated upon information as derived
from others they believe them to be true

given under my hand this
the 28th March 1882

J. A. Hyatt Clerk

John Sprack et al

vs. ~~3~~ Petitioner

Andrew C. Callahan

Filed March 1882

J. A. Hyatt
Clerk

Virginia

At a circuit court continued and held for Lee
County at the Court house thereof, September 4th 1877.

John Speak & others
vs

Defts

In Chancery

Mary E. Callihaw & others

Defts

This day &c &c # # #. It is further
adjudged ordered and decreed, that the
costs of this suit be paid by the parties
according to their rights and interests in
said land partitioned, and that to the
extent of the costs paid by the Plaintiffs
they may have executions against the
other parties for their proportionate part
of the same. # # # # #

A Copy Testo.

J. A. Hyatt Clerk

John Speak et al
vs ³/₃ Copy of Decree
Mary Calloham et al,

See to Hyatt for Copy - . 25^c

To the Honorable John A. Kelly Judge of the
Circuit Court of Lee County Virginia

The answer of Joseph G. Campbell
Mary G. Campbell Robert R. Campbell by
C. J. Duncan Their Guardian ad litem, to
a rule to show cause & filed in the chancery
cause of Connally & Trigg Survivors &c vs
Andrew G. Colloham.

Said Infants by Their Guardian answering
said Rule say That This is a rule to show cause
why said land should not be sold, &c.

These infants nor Their Guardian know
no cause to allege why said land should
not be sold in fact it is perhaps under
the peculiar circumstances of these infants
with reference to the financial condition of
Their father ^{father} that said land should be sold.

But these defendants are infants, and are
therefore unadvised as to what is really their
interest, they trust their rights in the hands of your
Honors Court, and having now answered they
pray to be hence dismissed &c.

C. J. Duncan Guardian

ad litem for infant D. & T.

Subscribed to before me, Sept 4th 1878.

James W. Orr, Clerk.

Cornelly & Trigg Survs

vs



Answer of

Guardian ad Litem

Andrew Callahan

Filed Sept 4th 1878.

Jas M Orr, Clerk.

Conally F. Trigg for vs. Peff

vs.

A E Gallaham

Deft.

In Eqy.

This cause came on further to be heard this day on the papers formerly read. and the report of Cmt. Prideman dated this 30th day of March 1885 showing that he had conveyed by proper deed, the land in the bill mentioned to Mr. J. Hutton. and was argued by counsel. And said report being unexcepted to. On consideration of which it is adjudged ordered & decreed that said report and deed be confirmed and that said Hutton pay to said A E Prideman \$5.00 for making said deed. and no further action being necessary in the cause the parties are hence dismissed & the cause stricken from the docket.

Gonally F. Trigg for

ss. } Decur - Final

A.E. Callahan

Wm. J. 1883 -

Enta.

J. R. Gibson
D. B.

Enter this

Mar 30 1883

J. A. K.

Benally F. Trigg for +: Peff }
vs. } In Chy.
Andrew E. Calahan } Dft.

This cause came on again to be further heard this day, on the papers heretofore read in the cause and the report of Const. A. L. Pridemore filed in the cause March the 27th 1855. and was argued by counsel and the said report showing that William Hutton the purchaser of the Tract of land in the bill mentioned consisting of two shares of the Calahan land, had been fully paid, and said report being accepted to

On consideration of all which it is adjudged ordered & Decreed that said report be confirmed

And A. L. Pridemore is appointed a commissioner for the purpose who is directed to convey by proper deed with covenants of special warranty the land in the bill and proceedings mentioned to the said William J. Hutton. and said commissioner will report his action to the Court, and until the coming in thereof the cause is continued:

Usually F. Trigg for me.

no. { Done

A.E. Callahan

March Term 1893.

Entered C.B. Page
437. J.R. Gibson D.C.

Entered

Mar. 28/85

Jn. A.K.

Connally & Trigg survivors to Plff

vs

3 In chcy

Andrew Callahan

Def

and

John Spease & Wm Hutton Plff

vs

3 on a Petition in chcy

The Same

3 Def

These causes came on again this 8th day of September 1882 to hear upon the papers formerly read in the first cause, the petition of said Hutton & Spease the order of publication against the said Andrew Callahan who is a non-resident of the State of Virginia the deposition filed in said petition and was argued by counsel and it appearing to the Court that the order of publication directed in the last above styled cause at the last term of this Court has been duly made posted and completed for more than 30 days before the first day of this term and that said Defendant has failed to appear answer or deny the said Spease's & Hutton's petition it is taken for confessed against him, and it appearing to the Court that said petitioners have paid for said Andrew Callahan the sum of \$24.00 less \$2.07 on a judgment for costs incurred in the chancery cause

lately decided in this court of John Sprad
wife & others vs Mary Callahan & others, and
that said sum with interest thereon from
the 28 day of March 1880 till paid is still
due them from said Andrew Callahan

it is therefore adjudged ordered & decreed
that A L Primmer Commissioner in
the ^{first} above styled cause pay to John Sprad
the sum of \$21,93 with legal interest thereon
from the 28th day of March 1880 till paid
out of any money in his hands or which
will come into his hands belonging
to the said Andrew Callahan said
Commissioner will take this receipt
for the same which when so taken shall
constitute a credit to him on the sum
in his hands or to come into his hands
due or going to said Callahan and
it is further adjudged and decreed that
the petitioners recover from Andrew
Callahan their costs about this petition
expended and these causes are continued.

John Sprad et al
vs
Mary Callahan

Andrew Callahan

in.
became of
lawfully living for

vs
Andrew Callahan

Enter this

Sept 8 1882

Connally F. Trigg, Survivor &c. Pltff
28
Andrew E. Callahan
3 In choy.
Dft

This cause came on again this day to be heard upon the papers formerly read and the petition of John Spease & W^m J. Hutton filed in this cause on a former day of this term. and was argued by counsel. And said Petitioners claiming to be judgment creditors of the Defendant Andrew E. Callahan and seeking to subject a fund now in the hands of A. S. Pridemore's commission in the cause, ^{to the payment of their own judgment} and it being admitted in open Court that the said Andrew E. Callahan is a non resident of the state of Virginia, it is adjudged ordered and decreed that he be summoned by publication, in the Lu County Sentinel a newspaper published in this County for four successive weeks to appear here on the 1st day of the next term of this Court to answer said petition and show cause if any he can why the prayer of said petitioners shall not be granted and this cause is continued till the next term.

Counally Frigg for +4

26. $\frac{1}{2}$ Decu

Andrew C. Callahan

Entered page 258. + 9

J. A. Hyatt
Clerk.

Enter This decu
J. A. K.

Apr 5th 1882.

Leannally H. Trigg foroe. Plff

Against

Andrew E. Leachman Deft

} Inchy.

This cause came on again this day to be heard upon the papers formerly read and the report of A. L. Pridemore Comr. filed Feb 20 1880. and was argued by Counsel, on consid-

eration whereof and for reasons appearing to the Court, it is adjudged ordered and decreed

that the sale reported to Wm. J. Hutton be annul and a writ of possession is ordered to be issued by the Clerk the same is confirmed, and the bond of John Speak and A. L. Leachman dated March 27th 1879

be annul the same is hereby canceled and annulled and the same directed to be delivered by Commissioner Pridemore to said Speak & Leachman.

And the said Commissioner will as the said purchase money falls due, collect the same, and after retaining $\frac{1}{2}$ commission due himself on 2^d sale will pay out to the creditor the debt in the bill mentioned and the surplus if any hold subject to the future order of the Court - And should the purchaser desire to pay any part of said purchase money, before the same falls due the said Court, will receive the same and pay out as herein directed. But before

for said land in favor of the purchaser upon instructions

receiving any sum hereunder the court will
execute bond in a penalty of \$500. before the
clerk of this court conditioned for the due
performance of this decree. He will re-
port his action to this court at some
future term & the cause is continued.

Annally F. Trigg vs E

vs E Decree

Andrew E. Leallahan

March J. 1880

Entered on Apr 10²
Lester Jas W. Orr, Clerk.

Enter this decree

March 29th 1880

J. A. K.

Respectfully H. Trigg for &c. Off.

Against

Andrew E. Leachman Sept 1

Dr Chy.

This cause came on again this day to be heard upon the papers formerly read & the report of Commissioner A-L Pickens filed Oct-27th 1879, And the upset bid of Wm L Hutton filed at the present term of the Court and was argued by counsel. And it appearing to the Court, that said Hutton has proposed & bound himself to advance the bid of the former sale, a sufficient sum to warrant a new sale, the sale heretofore made by Commissioner A-L Pickens is annulled & set aside. And said Commissioner directed to repay to the former purchaser, the cash payment advanced by him for costs, and that he cancel the said notes executed to him for said land, And then that he advertise an offer again as provided in a former decree to him directed at the place & upon the terms for sale, the said land or so much thereof as may be necessary to pay said debts & costs, But in offering said land for sale he will cry first the upset bid of said Wm L Hutton at the amount proposed by him, \$260 for the whole tract, and so continue to cry for the highest ~~bidder~~^{bids} ~~for the whole tract~~.

Occasionally G. Trigg gave

24 } Decr

Andrew E. Callahan

Nov. 5. 1879

Ent page 64 + 65
Jas W. Crook.

Enter this Decr
Dec. 2 1879
J. W. Crook

He was engaged off and assigned to said purchase as
much as the rate of sale of the said
~~as the said rate of sale of the said~~
of said said on may be necessary to pay the
child's early hours before school the
and the said of the said. He will report
his action to the Court at some future time and the
cause is continued.
The writer of said had

Kennally H. Trigg Suror
vs

} In ch

Andrus E. Callahan

this case is in the name of G. V.

on the motion of the plff.

Lyphid as actmes of J. T. Campbell

this case came

on again this day to be heard upon the
papers formerly read & the report of

A. L. Pridemore Commissioner filed Aug.

10th 1878. And was argued by counsel - on

consideration whereof, and for reasons

appearing to the court, G. T. Duncan is ap-

pointed Guardian ad litem for Joseph G.

Campbell, Mary G. Campbell and Robert R. Campbell

infant children of Jas. T. Campbell deceased

And it is further ordered that, Jas. G. Campbell

Mary G. Campbell & Robert R. Campbell,

infants, by their said Guardian do appear

here on the 6th day of this term & show

cause if any they can why said lands

shall not be sold, for the payment of

the costs & charges thereon. And the cause is

continued until that day.

And it is further ordered that, Jas. G. Campbell, Mary G. Campbell & Robert R. Campbell, infants, by their said Guardian do appear here on the 6th day of this term & show cause if any they can why said lands shall not be sold, for the payment of the costs & charges thereon. And the cause is continued until that day.

Normally 4 Triff Surve

vs. Secu.

Andrew E. Callahan

Aug. 7th 1878

Entered Page 783

R. W. Orr Jr. D.C.

Enter this
Sept 15th 1878
h. G. K.

Annally H. Trigg Surrogate. Plffs. }
Against } In ch.
Andrew E. Callahan. v. et

This cause came on again this day upon the papers formerly read, and the rule awarded at this term of the court against Joseph G. Campbell Mary E. Campbell, Robert R. Campbell, infants of Joseph T. Campbell deceased, and the answer of said infants by C. T. Duncan their guardian ad litem, this day filed. On consideration whereof and for reasons appearing to the court, the decree ~~of sale~~ rendered in this cause on the 31st of March 1876, be annulled vacated & set aside and the sale made & reported by Commissioner A. L. Prelimere, as set forth in his report No 1 filed March 2^d 1876, be also set aside & held void. And the said Commissioner Prelimere, will proceed to advertise & sell, upon the terms & conditions of the decree rendered in this cause on the 3^d of Nov. 1875; which last name decree he will now proceed to execute as if no sale had been made therein. He will require the costs to be paid in hand, and out of the sum thus paid he will reimburse himself for for the costs paid by him under the former

sale, and pay the residue to officers of court -
And the plff has leave to amend his bill so
as to suggest any further interest in land
owned by the defendant - The Commissioner will
report his action to this Court & the cause is con-
tinued.

Annally Fr. Trig & Burgher

vs } Decree

Andrew E. Lealaham

Aug. T. 1878

Entered Page 3

J. M. Orr & Co.

Enter this

Sept. 4th 1878

J. A. K.

Annally H. Trigg, for &c. Plff.

Against

} In ch.

Andrew E. Callahan . . . def

This cause came on again this day to be heard upon the papers formerly read and the report of A. L. Prichard special commissioner, filed March 2^d 1876, which being more than 10 days before the commencement of this term, and no exceptions being filed thereto ^{and the sale therein mentioned is for} the same is confirmed; confirmed On consideration whereof and for various appearing to the Court, it is adjudged ordered and decreed that A. L. Prichard former commissioner make and execute to the plaintiff or purchaser of the defendant, undivided interest in the land in the bill mentioned, a deed with covenants of special warranty; and when so made and executed by the said Commissioner, and delivered to the clerk of this Court for the plff, and the same is accepted by him, the same, shall constitute, by the plff's agreement by his counsel a full satisfaction of his claim and costs against the defendant. He will report his action to this Court at some future term and the cause is continued.

Connally H. Trigg for c

06 ³/₈ Decr.

Subm E. Callahan

March 5, 1876

Entered Order Book page
498.

James W. Orr, Clerk.

Entered this decr

March 5, 1876.

J. W. K.

Cannally H. Trigg sur v. Peff.
vs

} In chancery

Andrew E. Callahan deft.

This cause came on this day to be heard upon the bill and exhibits filed; and the order of publication made posted & published against the defendant; and was argued by counsel - On consideration whereof and for reasons appearing to the court, it is adjudged & ordered and decreed that the plaintiff recover against the defendant the sum of thirty seven dollars and fifty cents with legal interest thereon from the 22 day of March 1854, till paid, and the costs of this suit, and unless the defendant or some one for him pay the same within 20 days from this date then that A. L. Pridemore who is hereby appointed a special commissioner therefor proceed to sell ^{by public out cry at the front door of the Court House} the ^{interest} land in the bill mentioned ^{and attached} as belonging to said defendant or so much thereof as may be necessary to pay said debt interest and costs. The sale will be made on credit of one two and three years except so much as is necessary to pay costs which will be required to be paid down. Before proceeding to sell the commissioner will post three notices one on the front door of the Court House of said county one in the neighborhood where the land lies and one at some other public place in this county setting out time, terms and place of sale. He will take moneys payable to himself as comm. with good personal re-

To ascertain the interest of the said Andrew E. Callahan, the defendant, define & sell it will designate the same in &

of said county to the highest bidder

curring for the deferred payments, and report his
action to this Court. And the cause is continued

X But the pply. is not to have the benefit of this decree
until he shall give bond as required by law, with
good security, in the penalty of \$200.⁰⁰ conditioned to
perform any future order made in the cause upon the
defendants appearance making defence

Annally A. Paige, Scribe

vs Decree

Q

Andrew E. Callahan

Nov. 7. 1875

Entered in order Book

page 478.

James W. Orr, Clerk.

Entered this decree

Nov. 2. 1875

J. A. H.

The deposition of Thos S Ely and
~~John A. L. Hutton~~. Taken at the Clerk's
Office of the Circuit Court of Lu County on
~~On~~ the 6th day of September 1882 and
intended to be read as evidence on behalf
of John Spauld and W^m J Hutton, on a petition
filed by them in the Chancery cause of Connally
H Fryg survivor vs vs Andrew C Callahan.

Thos S Ely, a witness of lawful age being
first duly sworn deposes and says:-

Question by Petitioners Did you have
an execution or copy of decree direct-
ing you to collect money from Andrew C
Callahan John Spauld & others if so who
paid. You said Execution or the money
commanded to be collected on said
decree.

Answer I had a copy of decree
read and pronounced in the
Chancery cause of John Spauld & wife^{et al}
vs Mary Callahan & others of which
Andrew C Callahan was one and
the part which Andrew C Callahan
was to pay or his part of it was \$24.00
but subject to a credit of \$2.07, ^{as admitted by the parties} This
amount was paid to me by Wm J Hutton
and John Spauld. And said sum
was for costs incurred in the above suit

for which all of said parties were jointly
liable I returned said copy of said
decrea to the Clerk's Office satisfied in
full, but it now seems to be lost or
mislaid and cannot be found.

And further This deponent saith nat,

Thos. S. Ely Sheriff

The foregoing deposition of T. S. Ely Sheriff
was taken before me at my office in Jonesville
Va, on the 6 Sept 1882, sworn to & subscribed,
by him, Given under my hand Sept 6 1882

J. A. Hyatt County

John Sparshott et al

vs
3 Depts.

And T. Calahan

Filed Sept 6 1882

J. A. Hyatt

To the Honorable John A. Kelly, Judge of the
Circuit Court of Lee County.

The undersigned who was appointed a special
Commissioner in the chancery cause of Leammally F.
Trigg for &c. against Andrew E. Ballahans, begs
leave to report, that in pursuance, with a former
decree of this court in the above named cause your
Commissioner, after duly advertising as therein di-
rected, proceeded on the first day of the Jan-
uary ^{County} Court, 1876, proceed to offer the un-divided
interest of the defendant in the bill mentioned there-
being about 77 1/2 acres, your Commissioner, therefore
offered the same by the acre, and the beneficiary plff
became the purchaser at the price of \$1.50 per acre
making the sum of \$116.25. The plffs claim on the
22 day of March 1876 will amount to \$82.50 costs of
suit to day of sale, including estimated costs \$36.77 -
Commissioners due your Commissioner \$5.81. making in all
due ~~from the~~ from the defendant \$125.08 The sales
will thus fall short of paying the plffs \$14.83. Nothing would
be gained by a new sale, since the land will not probably
bring at any time the plffs demand & costs of suit - Your
Commissioner tried to get some friend of the defendant to
take the land & pay the debt & costs but he could not
find any one who would do so, or even take the
plffs bill. He therefore recommends its confirmation
and as the plff, is entitled to the whole proceeds that a
decree at once be directed to him - The plaintiff has
given the officer of court & your Commissioner satisfactory
assurance of the payment of their costs which they accept.
All of which is respectfully submitted.

March 2^d 1876.

A. S. Redmore Commissioner

Annally F. Trigg &c

vs } Commissioners Report
No 1.

Andrew E. Callahan

Filed Nov 2nd 1876.

James W Orr, Clerk.

To the Honorable John A. Kelly Judge of the
Circuit Court of Lee County -

The undersigned commissioner in the
case of Connally H. Trigg Suror, against
Andrew E. Callahan, begs leave to report, that
since the filing of his former report in this
court, and the rendition of the decree of March 31
1876, and before your commissioner had time to
execute the deed therein directed, Jas T. Camp-
bell the beneficiary reported this life intestate
your court as his counsel, paid out of his
own money the greater portion of the costs
of the suit, which has never been refunded
him, and he is informed by the friends of
the infants and by administrators that they
will not pay the costs & complete the sale
made to said Campbell - The said Campbell
left as his heirs at Law Joseph F. Campbell
Mary C. Campbell and Robert R. Campbell
infant children, to whom any interest he may
have descended - Your Commissioner therefore
suggest that a rule be made against the
Guardian of said children to show
cause why said law shall not be resold
He would further state that he is now informed
said law will bring the debt interest and costs

and that such sale would be more advantageous
to the infants than the lands. Your Commission
would be glad if the decree would direct a
re-payment of the costs paid on the land
on the previous sale.

All of which is respectfully submitted.

A. L. Pickensmore Comr.

Comnally to J. J. S. S. S.

25 } Report - No 2

3 } A. L. Pickensmore Comr.

Andrew E. Callahan

Filed Aug. 10th 1878.

James W. Orr. Clk.

To the Honorable John A. Kelly Judge of the Circuit
Court of Lee County Va

The undersigned who was appointed a Special
Commissioner, in the Case of Connally H. Trigg Sur-
or. against Andrew E. Callahan, beg leave to re-
port that pursuant to the decree last rendered in
this cause, he offered said land, ^{on 20th Jan. 1880 being said day} upon the terms &
in the matter therein directed. Strating the same
at the upset bid of Wm. L. Hutton, \$262. and no
person offering a greater sum the same was
knocked down to him at that price. Your Comr.

Then said the sum paid down the same again to pay
costs, ^{\$54.25} refused to Wm. Speak the former of \$47.60
cash heretofore paid by him to the officers of
Court, retains his own cash on the former sale,
\$8.10 and the residue of his costs are unpaid.

The said Hutton executed his notes, ^{there is no} bearing in-
terest from the day of Sale, for the sum each
of \$69.25 - with Andrew Johnson as security which
your Comr deems good. - Am respectfully re-
commends confirmation thereof. And that the bans
of John Speak & Callahan be canceled and
returned to them. All of which is respect-
fully submitted.

Sept. 30th 1880.

A. L. Pickens Comr.

Annually H. Trigg for

25 } Report.

Andrew E. Ballham

Filed. Feb. 20th 1880.

Jas H. Orr, clerk

To the Hon. John A. Keely Judge of
the Circuit Court of Lee County Va
The undersigned a Commissioner
in the Chancery Cause of Connally F.
Liggins &c begs leave to report
that long ago Wm J. Hutton the purchaser
of the land sold him in said Cause
has in pursuance, of the decree her-
etofore directed to him collected the
full amount of the purchase money
due him under said sale, He has
paid the same over to his Client
being the owner of the debt and the
over plus, he has & has had
ready for some time ready to
pay over, but the cash has
been misplaced so that he
cannot make a report - the
purchaser ~~will~~ is therefore entitled
to a deed all of which is
respectfully submitted.

A. L. Pilemore

Callahan & Triggs
of

Report of
Com.

Arthur E. Callahan
for

Filed March 27th 1885
J. A. Hyatt
cc

Samuel F. Trigg for vs. Peff }
vs. } In Chancery
Andrew E. Callahan Dft }

To the Hon. John A. Kelly Judge of the Circuit
Court of Lee County Va.

Pursuant to your decree in this cause entered on
the 28th Inst. I have made and acknowledged for record
a deed conveying to William J. Hutton the land in the
plaintiffs bill mentioned with covenants of special warranty
and the said deed is herewith filed marked A.B.

Respectfully Submitted

A. I. Pordmon Cant.

March 30th 1885.

Conally F. Trigg for r

20. { Can. Report of deed

A. E. Bullen cal

Filed Mr. 1885.

J. A. Hyatt c. c.

This deed made the 30th day of March 1885. Between
A. L. Pridemore commissioner of the first part, and
William J. Hutton of the second part, both of the county
of Lee State of Virginia: Witnesseth that by a decree of
the circuit court of Lee County rendered on the 28th
day of March 1885. in the chancery cause of Bonally F.
Trigg for &c. against Andrew E. Ballouan the said
A. L. Pridemore was appointed a commissioner and directed
to convey with covenants of Special warranty the land
in the plaintiffs bill mentioned to the said William J. Hutton.

In consideration of the premises and of an dollar to him
in hand paid the said A. L. Pridemore doth by these presents
give grant bargain sell deliver and convey unto the said
William J. Hutton a certain tract or parcel of land lying &
being in said County of Lee and on Hardy's Creek, and is
the same land which was laid off and assigned to Andrew
E. Ballouan by commissioners in the partition of the lands
of Ezekiel Ballouan dead among six of his heirs at law
and the same consists of two shares thereof adjoining each
other To have and to hold said tract or parcel of land
with all the appurtenances unto the said Wm. J. Hutton &
his heirs forever, and the said Pridemore covenants that
he will warrant specially only the title to the land conveyed
Witness the following signature & seal.

A. L. Pridemore Comr. (Seal)

Virginia Lee County to wit.

I John A. Gibson clerk of the county court of Lee
County in the state aforesaid do certify that A. L. Pridemore
whose name is signed to the foregoing deed bearing date

March the 30th 1885 has acknowledged the same
before me in my said office to be his act and deed.
Given under my hand this 30th day of March 1885

J. R. Gibson Clerk

William J. Hutton

From } Deed

A. L. Bidlemore Grant.

(A.B.)

To the Honorable John A. Kelly
Judge of the Circuit Court of Lee
County.

Your Commissioner, the
undersigned, begs leave to state that
in pursuance to a decree rendered in
the case of Connally H. Trigg vs
against Andrew E. Callahan, ~~that he~~
~~to wit~~ in pursuance to a decree
heretofore rendered in this case he adver-
tised the said land, and on the first day
of the March term 1879, of this Honorable
Court, being the 27th day of said month,
at the ~~great~~ ^{let} ~~closing~~ offer for sale and
sold to the highest bidder said land the son
of Mr Callahan, A. L. Callahan, bid
off the same for the debt interest and costs
and the same was knocked down to him
the debt interest amount on the day of
sale, to the sum of - - - - \$15.40
the costs as estimated by the clerk \$37.70
the commission to the sum of 7.68
~~for advertising the sum of~~ 2.00
making a total of - - - - \$162.78
of which sum your comr. requires 47.33
he paid in hand the sum of }
leaving the sum of - - - - \$115.40
for which your commission took the
said Callahans note with John Speak.

security therefor. which your Comr. deems
good. The said purchaser is very poor &
was unable to pay the costs required &
Mr. Speake paid that himself & had
a verbal arrangement by which if the
said Callahan could not pay all
Speake was to pay half & here half
the land. Your Commissioner has tried
several times to sell this land & failed &
although the land might be regarded by
some as worth, more, - Mr. Callahan it
seems has abandoned his family, been
gone now for several years with
no hope of his return, and under these
circumstances your Commissioner deems
it advisable to ^{recommend a} ~~confer~~ ^{to} ~~the~~ sale, - Calla-
han has no further creditors but the
land by a decree in this Court has been
partitioned and there are some costs in that
suit which will have to be paid -
The exact amount not now known -

All of which is respectfully sub-
mitted.

A. L. Pridemore Comr.

April 7th 1879.

Trigg For & c.

Report of Sale
by Dir. Gen. Purdon

Leallahan.

1879 Oct: 27" Filed
Jas. W. Orr, clk.

Wm. J. Hutton to the heirs
 of Ezekiel Calliham Jr. Dr.
 To a note executed to David Miller
 Comm. date first Monday in March 1878
 for the land \$96.00
 Int on Same to Nov. 1st/79 9.60
 Amount " " " 105.60
 Deduct Sarah M. Huttons Debt 27.10
 Deduct Susan Speaks Debt 47.83
 Deduct Costs of partition
 Incurred vs. Ezekiel's Share 12.00
 which leaves due Zekes heirs 18.67
 Divide this into 9 shares 2.07

But Hutton & Speak have a
 Judgment of \$24.00 Costs against
 John Calliham & \$24.00 Costs vs.
 Andrew and they would be en-
 titled to a Credit of \$2.07 each

John owes Hutton & Speak \$21.93
 Andrew " " " " \$21.93
 Hutton owes Parker 2.07
 " " Manda 2.07
 " " Polly 2.07
 " " Rachel 2.07
 " " Elizas heirs 2.07
 " " Susan Speak 2.07
 " Retains in right of his wife 2.07

John Speak
& others

vs.

Statement

Mary Callahan
& others

(A)

Leannolly F. Trigg Surrogate for Plff
Against

Andrew E. Callahan --- Deft

} In Chancery
on foreign
attachment.

The interest, which the defendant, owns
in his one sixth, in his own right and one sixth
by purchase from, his

co heir in a certain tract of land conveyed by
will to the defendant & others and which de-
scended to him and his co-heirs from Ezekiel
Callahan deceased and which is situated
in Whiteshoals Magisterial district near
Gray's Landing some 10 miles west of
Jonesville in Lee County Va, and is levied on
in this suit to satisfy the plff's demand of
\$37.50 with legal interest thereon from the 2^d
day of March 1853 - and also to satisfy
the further sum of \$10 ~~and~~ and interest thereon
from the 10th day of October 1859.

~~Auto~~

Annally F. Trigg 200000

as 3 Dispendens

Andus E. Callahan

Cannally Fr. Trigg who was ~~married~~ to me.
to Joseph T. Campbell.

(In the or
Foreign & State-
ment.


against
Suehus E. Callahan

The interest which the defendant owns and is en-
titled in a certain tract of land conveyed by Wm.
Hitt, to the defendant & others, and which descended
to him and ~~his~~ co-heirs from Ezekiel Callahan decd.
decane, and which is situated in Whitesides
Magisterial district, near Gradyhells Tugwell place
10 miles west of Jonesville in this county, is levied on
in this suit to satisfy the plff's demand of \$37.50
with legal interest thereon from the 22nd day of
March 1853.

Virginia, Lee County Court Clerk's office, July 28th 1875. Clerk.

The foregoing Memorandum was this day filed in this office
and admitted to record. Teste James W. Orr, Clerk.

Leimally Fe. Trigg ²⁰⁰⁰⁰⁰⁰⁰⁰⁰

vs  Lispencus.

Arthur. E. Callahan

Recorded in Deed books
No 17. Page 305.
John R. Gibson D.C.

Figg

^{vs.}
Callahan

upset bid to be offered
by Wm. J. Hutton;
Miller

upset bid
to be
offered
by

Wm. Hutton

Know all men by these presents
that we William J. Hutton James
Ramsey and David Miller are held
and firmly bound unto the Com-
monwealth ^{of Virginia} in the just and full sum
of Four hundred Dollars for the true
payment of which we and each
of us hereby bind ourselves our
heirs &c. jointly and severally
and we and each of us hereby
waive the benefit of all our
real and personal estate exemptions
as to this debt and obligation
Witness our hands signatures and
Seals on this the 1st day of De-
cember 1872.

The Conditions of this obligation
are such that whereas in a suit
wherein Corley F. Trigg is plaintiff
and Andrew C. Callahan is Defendant
A. L. Pridemore as Commissioner sold
at public Sale the Defendant Callahan's
land at the price of at the price
of \$162.75 on the first day of
the March Term of the Circuit
Court of Lee County 1879 and
the said William J. Hutton proposes
to put in an ~~affidavit~~ bid now
if at a resale if the said William

William J. Hutton makes the said land
bring at ^{least} two hundred and sixty ^{two} ~~per~~ ~~cent~~ ~~over~~ ~~the~~ ~~then~~
~~amount of the last sale~~ then
the above obligation shall be
void otherwise to remain in
full force and virtue

Witness

David Miller.

^{his} William J. Hutton Seal
^{mark} David Miller Seal
^{his} James & Ramay Seal
^{mark}

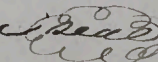
allent and 1844

Conly & Figg
vs.
Wm. J. Hutton
Bond

Andrew G. Callahan

\$37.50

Twelve months after date I promise to pay
Annally F. Trigg and Rev. R. Schurton Thirty seven
dollars and fifty cents for their services as counsel
to be rendered in an action of ejectment in the
District Court of the United States instituted by
Wm. W. Eitt against myself and others. Witness
my hand and seal this 22nd day of March 1853.

Andrew C. Callahan 

Andw E. Callahan

To { Note -
\$37.50.

Trigg & Johnston

Due March 22/54

"A"

of the amount of \$12.50

See County -

House of Representatives,

Washington, D. C.,

, 187

1 note due after 12^{mo.} and dated

March 22, 1853.

\$ 37.50

Interest for 25th 8^{mo.} 13^{d.}

57.85-

2 note due on date - dated Oct

10th 1853.

\$ 10.00

Interest for 19th 2nd.

11.50

\$ 116.85

Costs of suit.

37.70

154.55-

Commission of sale 5^{p.c.}

7.72

\$ 162.27

Due Johnston & Campbell Ten dollars
for value received: witness my hand
and seal This 10th Oct 1839

A. E. Ballihoun 

A E Callihorn
Lee County

Lee

we or either of us require to pay
to A. L. Prudden ~~some~~ missionary
one hundred and thirteen dollars and 80 cents,
with interest from this date - one
third to be paid in one year, one
third in ~~two~~ ^{three} years, & the residue in
six three years, and up to this debt
I hereby waive the benefit of my
homestead exemption ~~with up~~ ^{my}
our hands & seals this March 27. 1879

John Sheak (50)
Noy Ballaham (50)

John Speake &
N. L. Callahan

50 3/4 Oats #13.40

St Andrew
Cent.

#37.80.

Due March 27/80

" " " 81

" " 82

Virginia

At a circuit Court Continued and
held for Lee County at the Court House thereof Apr. 5 1882
Connally F. Trigg Surv. &c. Plff }
vs } In Chancery
Andrew C. Calliham Deft }

John Speak and Wm. J. Hutton
having filed their petition in this Cause claiming
to be Judgt. Creditors of the defendant, and who
seek to subject the fund now in the hands
of Comr. A. L. Pridemore to the payment of their
Judgment lien, and it being admitted in open
Court that the said Defendant Andrew C. Calliham
is a now resident of this state - it is ordered
that he appear here ~~within one month~~ after
~~the publication of this order~~ on the first
day of the next term of this Court, to answer
said petition and show Cause if any he
can why the prayer of said petitioners shall
not be granted.

A Copy Lesto.

J. A. S. Hyatt
Clerk

I hereby certify that I posted a true
Copy of the above Order of Publication
at the front door of the Court House on
the 1st day of the June Term thereof 1882
and delivered a copy thereof to the
Lee County Sentinel for Publication
on the 20th May 1882 this June 20 1882

J. A. S. Hyatt
Clerk

Donnelly F. Triggsum
+ John Specketal
v3 Ono Pub

Andrew E. Callahan

Virginia.

At rules held in the clerks office of the circuit court of Lee
County, on the 5th day of July 1875.

Comnally H. Ligg summoner &c for &c
against-

Pltff

In Chancery.

Andrew E. Callahan

Defd

The object of this suit is to subject to sale the lands in the bill
mentioned, owned by the defendant and which has been attached
for the purpose, for the payment of the debt in the bill mentioned
due the plaintiff, and it appearing from an affidavit filed in
the cause, that the defendant is a nonresident of the State of
Virginia, it is therefore ordered that he appear here within one
month after due publication of this order, and do what is necessary
to protect his interest in this suit.

A copy

Teste - James W. Orr. Clerk.

I hereby certify that on Monday the 1st day of the July term 1875,
of the County Court of Lee County, I posted at the front door of the
Court house of said County, a copy of the above notice.

Given under my hand this day of July 1875.

James W. Orr. Clerk.

Connally & Bigg Survivors
re for &c

53 Order Publication.

Andrew E. Callahan

Copy to Lee County Seated

July 5th 1875.

James W. Orr. Clk.

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Andrew E. Callahan

to appear before the Judge of the ^{Circuit} ~~County~~ Court of Lee County, at the Court House, in the Clerk's Office, at

July Rules next, to answer a bill in Chancery, exhibited in our said Court
against *him by Annally H. Trigg surviving obligee of himself*
and Ber: R Johnston, who sues for the benefit of Joseph T
Lamphell

And have then there this writ. WITNESS, JAMES W. ORR, Clerk of our said Court, at the Court House,

this *1st* day of *July*, 1875, in the *99th* year of the Commonwealth.

A copy *James W Orr. Clerk.*
Liste *James W Orr. Clerk.*

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Andrew E. Ballaham

to appear before the Judge of the ^{*circuit*} County Court of Lee County, at the Court House, in the Clerk's Office, at

July
against *him by Annally H. Trigg surviving obligee of himself*
and Ben. R. Johnston, who sues for the benefit of Joseph Hamf-
-bell

And have then there this writ. WITNESS, JAMES W. ORR, Clerk of our said Court, at the Court House,

this *1st* day of *July*, 187*6*, in the *79th* year of the Commonwealth.

James W. Orr. Clerk.

7.20
6.27
93

1248

Annally H. Vigg Sw-
- being obliged of himing
vs. J. A. in Chancery

Andrew E. Callahan

Rec'd. Rules 1875,

the within J. A. is not executed
the defendant being a non-res
ident of the State of Va.
But I have executed the attach-
ment herein endorsed by
conveying the same on the de-
fendant's interest in the
order of attachment mentioned
situated in White Shoals
Magisterial district near
Graham's tanyard some 10
miles west of Jonesville in
this county.

J. A. H. H. H. H.

The proper affidavit having been made in the within cause
the officer serving this process is ordered to attach the inter-
est of the defendant in a certain tract of land conveyed by
Hm Gitt to the defendant & others and which descended to him
and his co-heirs from Ezekiel Callahan decd, and which is
situated in White Shoals Magisterial district, near Gray hills
tanyard some 10 miles west of Jonesville in this County, and
the same in his hands so attached, so to secure and provide, that the
same may be forthcoming and liable to the future order of the Court.
July 1st 1875.

Teste - James W. Orr. Clerk.

VIRGINIA—At a Circuit Court continued and held for Lee County at the Court-House thereof, April 5th, 1882.

Connally F.o Trigg, surv., &c., Plff., vs. Andrew E. Callihan. Defs.—In Chancery.

John Speak and William J. Hitten having filed their petition in this cause claiming to be judgment creditors of the defendant, and who seek to subject the fund now in the hands of Comr. A. L. Pridemore to the payment of their judgment lien, and it being admitted in open court that the defendant, Andrew E. Callihan, is a non-resident of this State. It is ordered, that he appear here on the first day of the next term of this Court to answer said petition, and show cause, if any he can, why said petitioners' prayer shall not be granted. A copy—Teste:

m26-4

J. A. G. HYATT, Clerk.

DAVID R. SMITH,

THE SENTINEL

DEMOCRATIC—SUBSCRIPTION, ONE DOLLAR AND FIFTY CENTS A YEAR.

FRED. R. STICKLEY, EDITOR AND PROPRIETOR

Jonesville, Va. Aug 27th 1882.

I hereby certify that a
Chauncy Order of which the
annexed is a copy was printed
at successive weeks in
the "Lee County Sentinel" a weekly
newspaper published in
the town of Jonesville Va. the
said publication ending April
26th 1882 -

F. R. Stickley Subr

Printers fee \$5.00

Con. F. Trigg
No 3 Pub. certificate
Andrew E. Callahan

D. Lee 5.00

I do hereby certify that annexed order
of publication was printed in the "Lee
County Sentinel," a weekly newspaper
published in the Commonwealth of
Virginia, four consecutive weeks, ending
July 30th 1875.

Charles Willoughby
Ed. of "Sentinel"

Virginia:—At Rules held in the
Circuit court of Lee county, of the 5th day
of July, 1875.

Connally F. Trigg, survivor &c. for &c. Pltf.
against
Andrew E. Callahan, Dft.

IN CHANCERY.

The object of this suit is to subject to
sale the lands in the bill mentioned, own-
ed by the defendant, and which has been
attached for the purpose, for the payment
of the debt in the bill mentioned due the
plaintiff, and it appearing from an affida-
vit filed in the cause, that the defendant
is a nonresident of the State of Virginia,
it is therefore ordered that he appear
here within one month after due publica-
tion of this order, and do what is necessary
to protect his interest in this suit.

A Copy—Teste:
JAMES W. ORR, Clerk.

Certificate
Order of Publication

C. F. Trigg for re. Cliff

72 3/4

A. E. Cullatun. Dft.

1874
1854
20

77 1/2

130

3850

7775

7116.25

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2.25 00

20

45.00

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Comp. 5.81

125.08

116.25

14.83

116.25

121

1.25